



THE COMMITTEE ON ENERGY AND COMMERCE

INTERNAL MEMORANDUM

April 26, 2012

To: Health Subcommittee Members

From: Majority Staff

Re: Hearing on the Health of Jockeys and Horses in Horseracing

On Monday, April 30, 2012, the Subcommittee on Health will hold a hearing entitled “A Review of Efforts to Protect Jockeys and Horses in Horseracing”. The hearing will take place at 9:30 a.m. at Unionville High School, 750 Unionville Road, Kennett Square, PA 19348. At the hearing, the Subcommittee will review what reforms, if any, have been made in the horseracing industry to protect jockeys, horses, and the integrity of the sport.

I. Witnesses

Panel One

Mr. Gary Stevens
Hall of Fame Jockey

Mr. George W. Strawbridge, Jr.
Thoroughbred Owner

Mrs. Gretchen Jackson
Thoroughbred Owner of the 2006 Kentucky Derby winner, Barbaro

Mr. Arthur B. Hancock, III
Thoroughbred Owner

Panel Two

Mr. Kenny McPeck
Trainer

Mr. Glenn Thompson
Trainer and Author: “The Tradition of Cheating at the Sport of Kings”

Dr. Kathryn “Kate” Papp, DVM
Hillcrest Meadow Equine Services, LLC (Harrisburg, PA)

Mr. Gregory L. Ferraro (via video conference)
Professor of Veterinary Medicine and Director, Center for Equine Health
School of Veterinary Medicine
University of California, Davis

Cornelius E. Uboh, Ph.D.
Pennsylvania Equine Toxicology and Research Center
Department of Chemistry
West Chester University

II. Background

Horseracing is a \$40 billion industry that generates roughly 400,000 jobs nationwide. However, the widespread use of performance enhancing drugs in horses threatens the viability, safety and integrity of the sport, especially the threat to the safety and wellbeing of the jockey. Without a zero-tolerance policy for drug use, the public cannot expect a fair, clean race. Preventing drug abuse is the right and proper thing to do – for the public, for the integrity of the sport, for the health of the animals, and for the safety of the jockeys.

Congress considered banning drugs in horseracing in the 1980s, but left that decision to individual States. The Federal Trade Commission has responsibility, under the 1978 Horse Racing Act, for oversight and enforcement. However, there are 38 separate State racing commissions, with 38 different sets of rules and practices in place. As a result, no uniform rules exist to prohibit the use of performance enhancing drugs and to penalize doping violations. This has led to enforcement problems. For example, if there is one State horseracing commissioner who wants to enforce a zero-tolerance drug use policy, then trainers can avoid the rule by simply racing their horses elsewhere. States face stiff competition for the horse business and may be willing to sacrifice oversight in order to get revenue from horseracing. That impunity leads trainers to continually violate medication rules. And, horseracing then becomes a “race to the bottom” as drug use trumps the enforcement of protective rules and regulations.

Performance enhancing drugs not only destroy fair competition, but also mask underlying injuries. Horses may run harder and put extra stress on their compromised condition. This leads to breakdowns, and risks additional injury to the horse and ultimately the jockey. The *New York Times* recently featured an exposé¹ discussing the impact that performance enhancing drugs in horses has on the horseracing industry and the jockey’s health.

III. Federal Legislation

The Interstate Horse Racing Act of 1978 was enacted by Congress to regulate interstate commerce with respect to wagering on horseracing with the Federal Trade Commission providing oversight. Since 1978, Congress has continued to address public concerns about the

¹http://www.nytimes.com/2012/03/25/us/death-and-disarray-at-americas-racetracks.html?_r=2&hp

industry and its practices. One of those concerns is the use of performance enhancing drugs in horses.

In 2008, the Energy and Commerce Committee held a hearing entitled “Breeding, Drugs, and Breakdowns: the State of Thoroughbred Horseracing and the Welfare of the Thoroughbred Racehorse” to examine the issue of performance enhancing drugs in horseracing.

H.R. 1733, The Interstate Horseracing Improvement Act of 2011, was introduced to amend the Interstate Horseracing Act of 1978. The legislation is designed to set national standards and implement fines related to those who medicate horses in order to influence the outcome of a race.

IV. Conclusion

The hearing will provide Members with an opportunity to review the reforms, if any, that have been implemented to protect jockeys and horses in horse racing and preserve the integrity of the sport. Should you have any questions regarding the hearing, please contact Committee staff Heidi Stirrup or Brenda Destro at (202) 225-2927.